

CHEF PARLEMENTAIRE DU NOUVEAU  
PARTI DÉMOCRATIQUE DU CANADA



PARLIAMENTARY LEADER OF THE  
NEW DEMOCRATIC PARTY OF CANADA

**GUY CARON**

DÉPUTÉ | MP, RIMOUSKI-NEIGETTE—TÉMISCOUATA—LES BASQUES

November 29, 2017

Dear Right Honourable Justin Trudeau,

This is a response to your letter dated November 22, 2017 on the Official lobbying Commissioner's nomination process.

In your letter, you are proposing an individual based on a process that was "open and transparent and based on merit".

This is very problematic because your government is unilaterally determining that the consultation process you established satisfies article 4.1(1) of the Official Lobbying Act.

Here are the facts:

In this particular case, we take 'consultation' to mean a request for an opinion or advice. However, to form an opinion, it is imperative that the consulted parties be given the information that is necessary to provide an evidence-based opinion. Therefore, we request the list of candidates who were short-listed for the position, along with their qualification certificates, as well as the complete list of selection committee members.

The Official Lobbying Act intends for all opposition party leaders to consent to the choice of candidate. In fact, the Official Lobbying Act mentions that consultation is necessary before proceeding with the next steps of the appointment process. Consultation allows for trust to be built between the Government, the Commissioner and Parliament, and ensures that the Commissioner can exercise their mandate. The opposite can lead to severe and negative consequences on the operations as well as on public confidence in the commissioner's office. It can also lead to the erosion of the commissioner's power and ability to enforce the law. The process must be truly open and transparent to ensure the confidence of the public and parliamentarians.

Therefore, a genuine process of consensus-building for future commissioners' nominations must be part of the Prime Minister's mandate. A simple notice does not constitute consultation and goes against the essence of the law.

In conclusion, your government's consultation process runs the risk of weakening confidence in, and

the powers of, the next commissioner. The NDP demands a proper consultation process that truly reflects the importance of the Official Lobbying Act and which respects article 4.1(1) of the Official Lobbying Act. We ask for a genuine consultation process, not a simple notification of the Government's decision. Consultation must seek consensus and must consider the opinions and the advice of party leaders.

We cannot, therefore, respond to your proposed nomination without access to the list of candidates who were short-listed for the position, along with their qualification certificates, as well as the complete list of selection committee members.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'G. Caron', with a long horizontal stroke extending to the right.

Guy Caron  
Chef parlementaire du Nouveau Parti démocratique  
Député pour Rimouski-Neigette--Témiscouata--Les Basques